



The Older Americans Act

Today, one in six Americans, or 44 million people, is 60 years or older. While many older Americans are active members of their families and communities, others are at risk of losing their independence. These include:

- Four million Americans ages 85 years and older;
- Those who are living alone without a caregiver;
- Those living in nursing homes or other institutional settings;
- Members of minority groups;
- Older persons with physical or mental impairments;
- Older persons residing in rural areas, low income older persons; and
- Those who are abused, neglected, or exploited.

To meet the diverse needs of the growing numbers of older persons in the United States, the Older Americans Act created the primary vehicle for organizing, coordinating, and providing community-based services and opportunities for older Americans and their families.

The Older Americans Act of 1965 established the Administration on Aging within the Department of Health and Human Services and when originally enacted, it authorized grants to states for community planning and services programs, and for research, demonstration and training projects in the field of aging. Later amendments to the Act added grants to Area Agencies on Aging (AAA's) for local needs identification, planning, and funding of services. They included:

- Nutrition programs in the community and for homebound elderly;
- Programs for Native American elders;
- Services for low-income minority elders;
- Health promotion and disease prevention activities;
- In-home services for frail elders; and
- Services that protect the rights of older persons such as the long-term care ombudsman program.

Older Americans Act Amendments of 2000

The Older Americans Act Amendments of 2000 (Public Law 106-501) was signed into law on November 13, 2000, extending the Act's programs through fiscal year 2005. The final measure, supported by many major aging advocacy organizations representing millions of older persons and their caregivers, preserves and strengthens many of the essential programs that enable older persons to live independently in their homes and communities.

National Family Caregiver Support Program

The reauthorized Act contains an important new program, the National Family Caregiver Support Program, which will help hundreds of thousands of family caregivers of older loved ones who are ill or who have disabilities. Family caregivers have always been the mainstay underpinning long-term care for older Americans. Among non-institutionalized persons needing assistance with activities of daily living, two thirds depend solely on family and friends and another one fourth supplement care by their families with services from paid providers. Only a little more than five percent rely exclusively on paid services.

The National Family Caregiver Support Program (NFCSP) is funded at \$125 million in grants to state agencies on aging for fiscal year 2001. State agencies on aging also work with area agencies on aging (AAA's) and community and service organizations to provide support services that include:

1. Information to caregivers about available services;
2. Assistance to caregivers in gaining access to the services;



3. Individual counseling, organization of support groups, and caregiver training to caregivers to assist the caregivers in making decisions and solving problems relating to their caregiving roles;
4. Respite care to enable caregivers to be temporarily relieved from their caregiving responsibilities; and
5. Supplemental services, on a limited basis, to complement the care provided by caregivers.

The NFCSP recognizes the needs of grandparents who are sole caregivers of grandchildren and those who are affected by mental retardation or who have developmental disabilities. The Older Americans Act Amendments of 2000 also establishes the Native American Caregiver Support Program to assist caregivers of Native American elders who are chronically ill or have disabilities.

Summary of Key Changes

The FY 2000 amendments to the Older Americans Act maintain the ten original objectives aimed at preserving the rights and dignity of our nation's older citizens. Although the seven titles remain intact, the following Title III - Grants to State and Community Programs, are now consolidated under Part B - Supportive Services:

- Part D - In-Home Services for Frail Older Individuals;
- Part E - Additional Assistance for Special Needs of Older Individuals; and
- Part G - Supportive Activities for Caretakers Who Provide In-Home Services to Frail, Older Individuals.

The amendments retain the provisions for low-income minorities and add a focus on older individuals living in rural areas. They also retain priority services, thereby emphasizing access, in-home and legal services. The addition of the NFCSP provides a means of addressing the nation's growing needs of caregivers.

The amendments streamline, consolidate, and grant more flexibility to the states and AAA's for developing comprehensive, coordinated service systems. States and AAA's are now specifically allowed to provide services to non-elderly with outside resources such as Medicaid-waiver funds. Much of the prescriptive language of the Act, such as compiling information on higher education, developing volunteer programs, and AAA telephone directory listings, is deleted from the Act.

The prohibition against the direct provision of service remains intact but adds additional provisions. If the state or area agency is already providing case management under a state program, the state plan may permit the agency to continue to provide this service. In addition, the state plan may specify that an area agency be allowed to directly provide information and assistance, and outreach.

A provision allows states to elect cost sharing for certain supportive services, while exempting access, nutrition and elder rights services. Services provided to low-income older persons are also excluded from cost sharing.

The interstate funding formula components for Title III (not including III-E, National Family Caregiver Support Program) and Title VII (Vulnerable Elder Rights Protection Program) services, while reordered, remain intact except for the updated "hold harmless" year (FY 2000). The addition of a second "hold harmless" level stipulates that no state will receive less than 20% of the percentage increase above the fiscal year 2000 allotments for all states. The interstate funding formula for Title III-E is based upon the population of persons 70+, along with the same minimum funding level factor outlined in the Title III/VII funding formula. The intrastate funding formula provisions remain unchanged.

The fiscal year 2000 amendments modify the Department of Agriculture meal reimbursement program to lessen the administrative burdens on states, tribes, and local agencies. The Act retains the connection with the number of meals provided, and minimizes any disruptions in allocations to states. This is accomplished by revising the basis for allocations from a projected estimate to the actual number of meals served in the prior year. Finally, the Older Americans Act Amendments of 2000 include authority for a White House Conference on Aging to be convened no later than December 31, 2005.

Working in close partnership with its sister agencies in the U.S. Department of Health and Human Services, the AoA is the official Federal agency dedicated to policy development, planning and the delivery of supportive home and community-based services to older persons and their caregivers. The AoA works through the national aging network of 57 State Units on Aging, 655 Area Agencies on Aging, 225 Tribal and Native organizations representing 300 American Indian and Alaska Native Tribal organizations, and two organizations serving Native Hawaiians, plus thousands of service providers, adult care centers, caregivers, and volunteers. For more information about the AoA, please contact:

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